

---

HOUSE BILL 1148

---

State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Simpson, Dunn, Orcutt, McCune, Chase, Wallace, Ormsby and Springer

Read first time 01/11/2007. Referred to Committee on Housing.

1            AN ACT Relating to prohibiting certain restrictions on the location  
2 of mobile homes or manufactured homes; amending RCW 35.21.684,  
3 35A.21.312, and 36.01.225; adding a new section to chapter 35.21 RCW;  
4 adding a new section to chapter 35A.21 RCW; adding a new section to  
5 chapter 36.01 RCW; providing an effective date; and declaring an  
6 emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8            NEW SECTION.    **Sec. 1.** A new section is added to chapter 35.21 RCW  
9 to read as follows:

10           A city or town may not enact any statute or ordinance that has the  
11 effect, directly or indirectly, of restricting the location of mobile  
12 homes or manufactured homes in mobile home parks or manufactured  
13 housing communities, as defined in RCW 59.20.030, based exclusively on  
14 the age or dimensions of the manufactured home.

15           NEW SECTION.    **Sec. 2.** A new section is added to chapter 35A.21 RCW  
16 to read as follows:

17           A code city may not enact any statute or ordinance that has the  
18 effect, directly or indirectly, of restricting the location of mobile

1 homes or manufactured homes in mobile home parks or manufactured  
2 housing communities, as defined in RCW 59.20.030, based exclusively on  
3 the age or dimensions of the manufactured home.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.01 RCW  
5 to read as follows:

6 A county may not enact any statute or ordinance that has the  
7 effect, directly or indirectly, of restricting the location of mobile  
8 homes or manufactured homes in mobile home parks or manufactured  
9 housing communities, as defined in RCW 59.20.030, based exclusively on  
10 the age or dimensions of the manufactured home.

11 **Sec. 4.** RCW 35.21.684 and 2004 c 256 s 2 are each amended to read  
12 as follows:

13 (1) A city or town may not enact any statute or ordinance that has  
14 the effect, directly or indirectly, of discriminating against  
15 consumers' choices in the placement or use of a home in such a manner  
16 that is not equally applicable to all homes. Homes built to 42 U.S.C.  
17 Sec. 5401-5403 standards (as amended in 2000) must be regulated for the  
18 purposes of siting in the same manner as site built homes, factory  
19 built homes, or homes built to any other state construction or local  
20 design standard. However, except as provided in sections 1 through 3  
21 of this act, any city or town may require that (a) a manufactured home  
22 be a new manufactured home; (b) the manufactured home be set upon a  
23 permanent foundation, as specified by the manufacturer, and that the  
24 space from the bottom of the home to the ground be enclosed by concrete  
25 or an approved concrete product which can be either load bearing or  
26 decorative; (c) the manufactured home comply with all local design  
27 standards applicable to all other homes within the neighborhood in  
28 which the manufactured home is to be located; (d) the home is thermally  
29 equivalent to the state energy code; and (e) the manufactured home  
30 otherwise meets all other requirements for a designated manufactured  
31 home as defined in RCW 35.63.160. A city with a population of one  
32 hundred thirty-five thousand or more may choose to designate its  
33 building official as the person responsible for issuing all permits,  
34 including department of labor and industries permits issued under  
35 chapter 43.22 RCW in accordance with an interlocal agreement under

1 chapter 39.34 RCW, for alterations, remodeling, or expansion of  
2 manufactured housing located within the city limits under this section.

3 (2) This section does not override any legally recorded covenants  
4 or deed restrictions of record.

5 (3) This section does not affect the authority granted under  
6 chapter 43.22 RCW.

7 **Sec. 5.** RCW 35A.21.312 and 2004 c 256 s 3 are each amended to read  
8 as follows:

9 (1) A code city may not enact any statute or ordinance that has the  
10 effect, directly or indirectly, of discriminating against consumers'  
11 choices in the placement or use of a home in such a manner that is not  
12 equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-  
13 5403 standards (as amended in 2000) must be regulated for the purposes  
14 of siting in the same manner as site built homes, factory built homes,  
15 or homes built to any other state construction or local design  
16 standard. However, except as provided in sections 1 through 3 of this  
17 act, any code city may require that (a) a manufactured home be a new  
18 manufactured home; (b) the manufactured home be set upon a permanent  
19 foundation, as specified by the manufacturer, and that the space from  
20 the bottom of the home to the ground be enclosed by concrete or an  
21 approved concrete product which can be either load bearing or  
22 decorative; (c) the manufactured home comply with all local design  
23 standards applicable to all other homes within the neighborhood in  
24 which the manufactured home is to be located; (d) the home is thermally  
25 equivalent to the state energy code; and (e) the manufactured home  
26 otherwise meets all other requirements for a designated manufactured  
27 home as defined in RCW 35.63.160. A code city with a population of one  
28 hundred thirty-five thousand or more may choose to designate its  
29 building official as the person responsible for issuing all permits,  
30 including department of labor and industries permits issued under  
31 chapter 43.22 RCW in accordance with an interlocal agreement under  
32 chapter 39.34 RCW, for alterations, remodeling, or expansion of  
33 manufactured housing located within the city limits under this section.

34 (2) This section does not override any legally recorded covenants  
35 or deed restrictions of record.

36 (3) This section does not affect the authority granted under  
37 chapter 43.22 RCW.

1       **Sec. 6.** RCW 36.01.225 and 2004 c 256 s 4 are each amended to read  
2 as follows:

3       (1) A county may not enact any statute or ordinance that has the  
4 effect, directly or indirectly, of discriminating against consumers'  
5 choices in the placement or use of a home in such a manner that is not  
6 equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-  
7 5403 standards (as amended in 2000) must be regulated for the purposes  
8 of siting in the same manner as site built homes, factory built homes,  
9 or homes built to any other state construction or local design  
10 standard. However, except as provided in sections 1 through 3 of this  
11 act, any county may require that (a) a manufactured home be a new  
12 manufactured home; (b) the manufactured home be set upon a permanent  
13 foundation, as specified by the manufacturer, and that the space from  
14 the bottom of the home to the ground be enclosed by concrete or an  
15 approved concrete product which can be either load bearing or  
16 decorative; (c) the manufactured home comply with all local design  
17 standards applicable to all other homes within the neighborhood in  
18 which the manufactured home is to be located; (d) the home is thermally  
19 equivalent to the state energy code; and (e) the manufactured home  
20 otherwise meets all other requirements for a designated manufactured  
21 home as defined in RCW 35.63.160.

22       (2) This section does not override any legally recorded covenants  
23 or deed restrictions of record.

24       (3) This section does not affect the authority granted under  
25 chapter 43.22 RCW.

26       NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of the  
28 state government and its existing public institutions, and takes effect  
29 July 1, 2007.

--- END ---